

**UNITED STATES OF AMERICA**  
**JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**  
Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: [202] 502-2800  
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

September 22, 2006

Robert C. Heinemann, Clerk  
130 United States Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 12201-1818

Sheryl L. Loesch, Clerk  
300 George C. Young U.S. Courthouse  
80 North Hughey Avenue  
Orlando, FL 32801

Re: MDL-1596 -- In re Zyprexa Products Liability Litigation (CTO-67)

Re: MDL-1769 -- In re Seroquel Products Liability Litigation (CTO-8)

Dear Clerks:


I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on September 6, 2006. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By   
Deputy Clerk

Attachment

cc: Transferee Judges: Judge Jack B. Weinstein; Judge Anne C. Conway  
Transferor Judges: (See Attached List of Judges)  
Transferor Clerks: (See Attached List of Clerks)

JPML Form 36

**INVOLVED COUNSEL LIST (CTO-67)**  
**DOCKET NO. 1596**  
**IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

**INVOLVED COUNSEL LIST (CTO-8)**  
**DOCKET NO. 1769**  
**IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION**

Samuel J. Abate, Jr.  
McCarter & English, L.L.P.  
245 Park Avenue, 27th Floor  
New York, NY 10167

Kevin J. Adrian  
Brown & James, P.C.  
1010 Market Street, 20th Floor  
St Louis, MO 63101

Allen D. Allred  
Thompson & Coburn  
One US Bank Plaza, Suite 3500  
St. Louis, MO 63101

Timothy R. Balducci  
Langston Law Firm, PA  
P.O. Box 787  
Booneville, MS 38829-0787

Catherine V. Barrad  
Sidley, Austin, LLP  
555 West 5th Street, Suite 4000  
Los Angeles, CA 90013-1010

Neville H. Boschert  
Watkins, Ludlam, Winter & Stennis, P.A.  
P.O. Box 427  
Jackson, MS 39205-0427

Brooks R. Buchanan  
Butler, Snow, O'Mara, Stevens  
& Cannada, PLLC  
P.O. Box 22567  
Jackson, MS 39225-2567

Thomas F. Campion, Jr.  
Drinker, Biddle & Reath, L.L.P.  
500 Campus Drive  
Florham Park, NJ 07932-1047

J. Thaddeus Eckenrode  
Eckenrode-Maupin  
8000 Maryland Avenue, Suite 1300  
St. Louis, MO 63105

Kenneth T. Fibich  
Fibich, Hampton & Leebron, LLP  
Five Houston Center  
1401 McKinney Street, Suite 1800  
Houston, TX 77010

Jeffrey R. Fink  
Thompson & Coburn  
One US Bank Plaza  
St. Louis, MO 63101

Kathleen Anne Frazier  
Shook, Hardy & Bacon, LLP  
600 Travis Street, Suite 1600  
Houston, TX 77002

Nina M. Gussack  
Pepper Hamilton, LLP  
3000 Two Logan Square  
18th & Arch Street  
Philadelphia, PA 19103-2799

Todd S. Hageman  
Simon & Passanante, P.C.  
701 Market Street, Suite 1450  
St. Louis, MO 63101

Stuart B. Harmon  
Page, Kruger & Holland, P.A.  
P. O. Box 1163  
Jackson, MS 39215-1163

Katherine Hihath  
Shook, Hardy & Bacon, LLP  
2555 Grand Boulevard  
Kansas City, MO 64108

Richard L. Josephson  
Baker Botts LLP  
One Shell Plaza  
910 Louisiana Street, Suite 3000  
Houston, TX 77002-9934

Jeffrey A. Kaiser  
Levin Simes Kaiser & Gornick, LLP  
One Bush Street, 14th Floor  
San Francisco, CA 94104

Jennifer S. Kingston  
Bryan Cave, LLP  
211 N. Broadway, Suite 3600  
St. Louis, MO 63102-2750

Gerald L. Kucia  
Daniel, Coker, Horton & Bell  
P.O. Box 1084  
Jackson, MS 39215-1084

**INVOLVED JUDGES LIST (CTO-67)**  
**DOCKET NO. 1596**  
**IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

**INVOLVED JUDGES LIST (CTO-8)**  
**DOCKET NO. 1769**  
**IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION**

Hon. Henry E. Autrey  
U.S. District Judge  
10N Thomas F. Eagleton U.S. Courthouse  
111 South Tenth Street  
St. Louis, MO 63102

Hon. Jean C. Hamilton  
U.S. District Judge  
16N Thomas F. Eagleton U.S. Courthouse  
111 South Tenth St., 16th Floor  
St. Louis, MO 63102-1116

Hon. Kenneth M. Hoyt  
U.S. District Judge  
11144 Bob Casey U.S. Courthouse  
515 Rusk Avenue  
Houston, TX 77002

Hon. Carol E. Jackson  
Chief Judge, U.S. District Court  
14N Thomas F. Eagleton U.S. Courthouse  
111 South Tenth St., 14th Floor  
St. Louis, MO 63102-1116

Hon. Martin J. Jenkins  
U.S. District Judge  
Phillip Burton U.S. Courthouse  
Box 36060  
450 Golden Gate Ave.  
San Francisco, CA 94102-3434

Hon. Tom S. Lee  
Senior U.S. District Judge  
110 James O. Eastland U.S. Courthouse  
245 East Capitol Street  
Jackson, MS 39201

Hon. Stephen N. Limbaugh  
Senior U.S. District Judge  
Thomas F. Eagleton U.S. Courthouse  
111 South Tenth Street, 3rd Floor  
St. Louis, MO 63102-9958

Hon. Mary Ann L. Medler  
U.S. Magistrate Judge  
U.S. District Court  
13S Thomas F. Eagleton U.S. Courthouse  
St. Louis, MO 63102-1116

Hon. Catherine D. Perry  
U.S. District Judge  
Thomas F. Eagleton U.S. Courthouse  
111 South Tenth Street, 14th Floor  
St. Louis, MO 63102-9958

Hon. Charles A. Shaw  
U.S. District Judge  
Thomas F. Eagleton U.S. Courthouse  
111 South Tenth Street, 12th Floor  
St. Louis, MO 63102-9958

Hon. Rodney W. Sippel  
U.S. District Judge  
10S Thomas F. Eagleton U.S. Courthouse  
111 South Tenth Street  
St. Louis, MO 63102-1116

Hon. Claudia Wilken  
U.S. District Judge  
Ronald V. Dellums Federal Building  
Suite 400 South  
1301 Clay Street  
Oakland, CA 94612-5217

Hon. Henry T. Wingate  
Chief Judge, U.S. District Court  
109 James O. Eastland U.S. Courthouse  
245 East Capitol Street  
Jackson, MS 39201

**INVOLVED CLERKS LIST (CTO-67)**  
**DOCKET NO. 1596**  
**IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

**INVOLVED CLERKS LIST (CTO-8)**  
**DOCKET NO. 1769**  
**IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION**

J.T. Noblin, Clerk  
316 James O. Eastland U.S. Courthouse  
245 East Capitol Street  
Jackson, MS 39201

J.T. Noblin, Clerk  
P.O. Box 23552  
Jackson, MS 39225-3552

James G. Woodward, Clerk  
3300 Thomas F. Eagleton U.S. Courthouse  
111 South Tenth Street  
St. Louis, MO 63102-1116

Michael N. Milby, Clerk  
United States District Court  
P.O. Box 61010  
Houston, TX 77208-1010

Richard W. Wieking, Clerk  
400-S Ronald V. Dellums Federal Building  
1301 Clay Street  
Oakland, CA 94612-5212

Richard W. Wieking, Clerk  
Phillip Burton U.S. Courthouse  
Box 36060  
450 Golden Gate Avenue  
San Francisco, CA 94102-3489

SEP - 6 2006

FILED  
CLERK'S OFFICE

**DOCKET NOS. 1596 AND 1769**

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**MDL-1596 -- IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

**MDL-1769 -- IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**MDL-1596 CONDITIONAL TRANSFER ORDER (CTO-67)**

**WITH SEPARATION, REMAND AND**

**MDL-1769 CONDITIONAL TRANSFER ORDER (CTO-8)**

**AND SEPARATION AND REMAND OF CERTAIN CLAIMS**

On April 14, 2004, the Panel transferred six civil actions to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings in MDL-1596 pursuant to 28 U.S.C. § 1407. *See* 314 F.Supp.2d 1380 (J.P.M.L. 2004). Since that time, 1,287 additional actions have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jack B. Weinstein.

On July 6, 2006, the Panel transferred 92 civil actions to the United States District Court for the Middle District of Florida for coordinated or consolidated pretrial proceedings in MDL-1769 pursuant to 28 U.S.C. § 1407. *See* \_\_\_\_ F.Supp.2d \_\_\_\_ (J.P.M.L. 2006). Since that time, 63 additional actions have been transferred to the Middle District of Florida. With the consent of that court, all such actions have been assigned to the Honorable Anne C. Conway.

It appears that the actions on this conditional transfer order involve questions of fact that are common to: 1) the actions in MDL-1596 previously transferred to the Eastern District of New York and assigned to Judge Weinstein; and 2) the actions in MDL-1769 previously transferred to the Middle District of Florida and assigned to Judge Conway. Each of these actions comprises three sets of claims, as follows: 1) claims relating to the prescription drug Zyprexa, which involve common questions of fact with the previously transferred MDL-1596 actions; 2) claims relating to the prescription drug Seroquel, which involve common questions of fact with the previously transferred MDL-1769 actions; and 3) claims relating to the prescription drug Risperdal, which do not involve common questions of fact with the previously transferred actions in either MDL-1596 or MDL-1769.

**Inasmuch as no objection is  
pending at this time, the  
stay is lifted.**

**SEP 22 2006**

**CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

-2-

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the MDL-1596 transfer order of April 14, 2004, and, with the consent of that court, assigned to the Honorable Jack B. Weinstein.

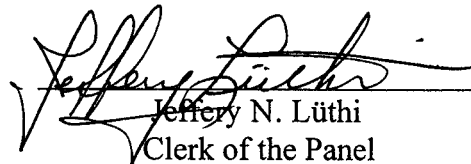
The claims in each action relating to Seroquel and Risperdal are hereby separated and simultaneously remanded, under 28 U.S.C. § 1407(a), to their respective transferor courts.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), the resulting Seroquel/Risperdal actions are transferred under 28 U.S.C. § 1407 to the Middle District of Florida for the reasons stated in the MDL-1769 transfer order of July 6, 2006, and, with the consent of that court, assigned to the Honorable Anne C. Conway.

It is further ordered that the claims in each action relating to Risperdal are separated and simultaneously remanded to their respective transferor courts.

This order does not become effective until it is filed in the offices of i) the Clerk of the United States District Court for the Eastern District of New York, and ii) the Clerk of the United States District Court for the Middle District of Florida. The transmittal of this order to said Clerks shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

  
Jeffery N. Lüthi  
Clerk of the Panel

**SCHEDULE CTO-67 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1596**  
**IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

**SCHEDULE CTO-8 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1769**  
**IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION**

**DIST. DIV. C.A.#**

**CASE CAPTION**

**CALIFORNIA NORTHERN**

CAN 3 06-1307  
CAN 4 06-2041

Thelma D. Graham v. AstraZeneca Pharmaceuticals, LP, et al.  
Ramon Howell, et al. v. AstraZeneca Pharmaceuticals, LP, et al.

**MISSOURI EASTERN**

MOE 4 05-2243  
MOE 4 06-259  
MOE 4 06-623  
MOE 4 06-649  
MOE 4 06-653  
MOE 4 06-723  
MOE 4 06-786  
MOE 4 06-1006  
MOE 4 06-1088  
MOE 4 06-1089  
MOE 4 06-1171

Richard Philpott v. Janssen Pharmaceutica, L.P., et al.  
Lori Santacroce v. Janssen Pharmaceutica, L.P., et al.  
Billy Collins v. Janssen Pharmaceutica, L.P., et al.  
Dawn Samp v. Janssen Pharmaceutica, L.P., et al.  
Deborah Honey v. Janssen Pharmaceutica, L.P., et al.  
Patricia Nations v. Janssen Pharmaceutica, L.P., et al.  
Arthur Crum v. Janssen Pharmaceutica, L.P., et al.  
Sharon Beggs v. Janssen Pharmaceutica, L.P., et al.  
Patricia A. Davis v. Janssen Pharmaceutica, L.P., et al.  
Doris Heathman v. Janssen Pharmaceutica, L.P., et al.  
Tammy Lilly v. Janssen Pharmaceutica, L.P., et al.

**MISSISSIPPI SOUTHERN**

MSS 3 06-149  
MSS 4 06-35

Earl Willie McNair v. Janssen Pharmaceutica Products, L.P., et al.  
Angela Burley, etc. v. Janssen Pharmaceutica, L.P., et al.

**TEXAS SOUTHERN**

TXS 4 06-1963

Frank Kellner, et al. v. Eli Lilly & Co., et al.